

## **PRIVACY NOTICE** (on notice board in hallway and welcome packs)

Netherfield Pre-School processes personal information about its children and is a 'data controller' for the purposes of Data Protection legislation. We collect information from you and may receive information about your child from their previous setting. If we do receive data from your child's previous setting, we will make you aware of this and remind you that you have the option of erasure if you wish.

We will only collect data that is absolutely necessary and will only use the data for the reason it is initially obtained, as stated below.

### **The categories of child level information that we collect, hold and share include:**

- Personal information (such as name, age and address)
- Characteristics (such as ethnicity, language, nationality and country of birth)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Assessment information
- Medical information
- Special educational needs information
- Digital images and video footage
- Photocopies of identification (i.e. birth certificates/passports)

### **Why we collect and use this information:**

- to support children's learning to provide evidence of development
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the law regarding data sharing
- to allow parents/children to access EYPP Funded Childcare
- to monitor and report on children's progress

### **The lawful basis on which we use this information:**

We collect and use children's information and special category data under the lawful basis of "legal obligation", in line with **GDPR Articles 6(1)(c) and 9(2)(a)**:

"processing is necessary for compliance with a legal obligation to which the controller is subject" – **Article 6(1)(c)**

"the data subject has given explicit consent to the processing of those personal data for one or more specified purposes" - **Article 9(2)(a)**

### **Collecting children's information**

Whilst the majority of child level information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain child level information to us or if you have a choice in this.

### **Storing pupil data**

If the child goes to another setting, any relevant data (such as assessment information and safeguarding information) will be passed directly to the next setting. A 'Transfer of Information' document will be completed by the new setting/school as proof of transfer.

Online data on Tapestry will be deleted or passed on to the child's next setting, and all data erased from the pre-school records.

If a child does not move to another setting, their personal data will be stored for one academic year – in the chance of them moving to another setting and the setting contacting us for relevant information - before being destroyed.

Some development and assessment data (such as Early Years Pupil Premium evaluations and cohort development data) will be stored for up to five academic years to ensure we can provide sufficient evidence to inspection bodies when required. This will contain the child's name and age/DOB only.

Paper data will be stored in a secure, locked location. Digital data will be kept on an encrypted memory stick.

Child records including medication forms, accident reports and any safeguarding information that is not passed onto the child's next setting will be kept for the required time frames (below) and stored in a secure, locked location. The required time from to keep safeguarding records is until the child is 24 years. The required time frame to keep medication and injury records is 20 years unless specified by COSHH which is 40 years.

## **Who we share children's information with**

We routinely share children's information with:

- settings/schools that the children attend after leaving us
- our local authority (East Sussex County Council)
- the Department for Education (DfE)
- other professionals such as Health Visitors, Social Workers and such like the online learning journal database, Tapestry

## **Requesting access to your personal data**

Under data protection legislation, parents and children have the right to request access to information about them that we hold. To make a request for your personal information, or be given access to your child's educational record, contact the Pre-School Manager, Yve Puxty on 01424 838714.

## **You also have the right to:**

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and claim compensation for damages caused by a breach of the Data Protection regulations

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance.

Alternatively, you can contact the Information Commissioner's Office at

<https://ico.org.uk/concerns/>

## **Why we share children's information**

We do not share information about our children without consent unless the law and our policies allow us to do so.

We share children's' data with the Department for Education (DfE) on a statutory basis. This data sharing underpins the settings funding and educational attainment policy and monitoring.

## **Data collection requirements:**

To find out more about the data collection requirements placed on us by the Department for Education (for example; via the early years census) goes to

<https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

## **The National Pupil Database (NPD)**

The NPD is owned and managed by the Department for Education and contains information about pupils in schools in England. It provides invaluable evidence on educational performance to inform independent research, as well as studies commissioned by the Department. It is held in electronic format for statistical purposes. This information is securely collected from a range of sources including schools, local authorities and awarding bodies.

We are required by law, to provide information about our children to the DfE as part of statutory data collections such as the school census and early years' census. Some of this information is then stored in the NPD. The law that allows this is the Education (Information about Individual Pupils) (England) Regulations 2013.

### **To find out more about the NPD, go to**

<https://www.gov.uk/government/publications/national-pupil-database-userguide-and-supporting-information>.

The department may share information about our children from the NPD with third parties who promote the education or well-being of children in England by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The Department has robust processes in place to ensure the confidentiality of our data is maintained and there are stringent controls in place regarding access and use of the data. Decisions on whether DfE releases data to third parties are subject to a strict approval process and based on a detailed assessment of:

- who is requesting the data?
- the purpose for which it is required
- the level and sensitivity of data requested and the arrangements in place to store and handle the data

To be granted access to pupil information, organisations must comply with strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

### **For more information about the department's data sharing process, please visit:**

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

### **For information about which organisations the department has provided pupil information, (and for which project), please visit the following website:**

<https://www.gov.uk/government/publications/national-pupil-database-requests-received>

To contact DfE: <https://www.gov.uk/contact-dfe>

**Data Protection Officer:** Yve Puxty – Manager